

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
JOHN HATCHIE,  
Defendant.

No. 2:08-cr-00146-WBS

**RELATED CASE ORDER**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
JOHN HATCHIE,  
Defendant.

No. 2:22-cr-00158-TLN

The Court has reviewed the Government's Notice of Related Cases, filed July 22, 2022. Examination of the above-captioned actions reveals that they are related within the meaning of Local Rule 123 (E.D. Cal. 1997). Under Local Rule 123, two actions are related when they involve the same parties and are based on a same or similar claim; when they involve the same transaction, property, or event; or when they "involve similar questions of fact and the same

1 question of law and their assignment to the same Judge . . . is likely to effect a substantial savings  
2 of judicial effort.” L.R. 123(a). Further,

3 [i]f the Judge to whom the action with the lower or lowest number has been assigned  
4 determines that assignment of the actions to a single Judge is likely to effect a  
5 savings of judicial effort or other economies, that Judge is authorized to enter an  
order reassigning all higher numbered related actions to himself or herself.

6 L.R. 123(c).

7 Defendant was on supervised release in case number 2:08-CR-0146-WBS when  
8 Homeland Security Investigations (“HSI”) received information that he may be actively accessing  
9 child pornography. Based on that information, HSI obtained a search warrant for Defendant’s  
10 home, his ex-wife’s home, and a property he recently inherited in the Northern District of  
11 California. Upon the forensic examination of a micro-SD card found at the property, certified  
12 forensic examiners were able to determine that the defendant was accessing and downloading  
13 child pornography. This is the basis of case number 2:22-CR-00158-TLN. Based on the  
14 foregoing, the two cases should be related under Local Rule 123 because the cases involve similar  
15 claims and overlapping transactions and events. In addition, both cases are likely to involve  
16 similar questions of fact and law. Accordingly, the Court finds there is sufficient overlap in both  
17 cases to merit relating them, and assignment to the same Judge will save judicial resources and  
18 effort.

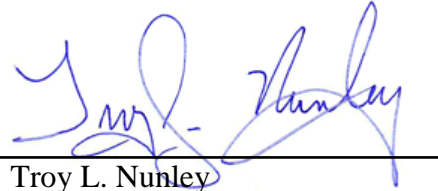
19 Further, Local Rule 123(f) states, “[w]here a Notice of Related Cases is filed suggesting  
20 that a petition for probation action and/or violation of the terms of supervised release should be  
21 related to a new indictment, and the basis of the probation petition or alleged supervised release  
22 violation is the conduct underlying the new indictment, the two actions shall be related and the  
23 Judge or Magistrate Judge assigned to the new criminal action shall also be assigned the earlier  
24 action, unless the original sentencing judge desires to retain the first action.” This Court has  
25 conferred with the original sentencing judge, who has indicated that he does not desire to retain  
26 the action.

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1 IT IS THEREFORE ORDERED that the action denominated No. 2:08-cr-00146-WBS be  
2 reassigned to District Judge Troy L. Nunley, and the caption shall read No. 2:08-cr-00146-TLN.  
3 Any dates currently set in No. 2:08-cr-00146-WBS are hereby VACATED.

4 **DATED: July 26, 2022**

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Troy L. Nunley  
United States District Judge